

Rec'd PCT/10 21 FEB 2006



PATENT
ATTORNEY DOCKET NO.: 056646-5024

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)
)
William Marshall STARK, et al.)
)
Application No.: 10/529,059) Group Art Unit: Unassigned
)
Filed: March 24, 2005) Examiner: Unassigned
)
FOR: MUTANT RECOMBINASES)
)

Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop PCT
Alexandria, Va. 22314

Sir:

RESPONSE TO NOTIFICATION OF DEFECTIVE REPOSE

1. Transmitted herewith is:

- ☒ Copy of Notification of Defective Response mailed January 19, 2006 (Next business day rule applies – February 19, 2006 fell on a Saturday and February 20, 2006 was a Federal Holiday)
- ☒ Preliminary Amendment
- ☒ Statement Accompanying Sequence Listing, paper copy of Sequence Listing, and computer readable copy of Sequence Listing.

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00
<input type="checkbox"/> five months	\$2,010.00	\$1,005.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$_____

3. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus		0	x \$18/\$9 each=	\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))		minus		0	x \$84/\$43 each=	\$ 0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$290/\$145	\$ 0.00
SUB-TOTAL =						\$ 0.00
Application Size Fee - \$250.00 for each additional 50 sheets that exceed 100						\$ 250.00
Reduction by ½ for filing by a small entity						\$ 0.00
TOTAL FEE =						\$ 250.00

5. Fee Payment

- ☒ The Director is hereby authorized to charge \$250.00 to Deposit Account No. 50-0310 for One-Month Extension of Time Fee.
- ☒ The Director is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: February 21, 2006
Morgan Lewis & Bockius LLP
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By:



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02/24/2006 GFREY1 00000130 500310 10529059
01 FC:1681 250.00 DA

01/13/2006 BCAMPBEL 00000002 500310 10529059
01 FC:1253 1020.00 DA



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/529,059	William Marshall Stark	056646-5024

INTERNATIONAL APPLICATION NO.

PCT/GB03/04169

I.A. FILING DATE	PRIORITY DATE
09/25/2003	09/25/2002

09629

MORGAN LEWIS & BOCKIUS LLP
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WASHINGTON, DC 20004

CONFIRMATION NO. 2559

371 FORMALITIES LETTER



OC000000017863317

Date Mailed: 01/19/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 03/24/2005
- Copy of the International Search Report filed on 03/24/2005
- Preliminary Amendments filed on 03/24/2005
- Information Disclosure Statements filed on 12/14/2005
- Oath or Declaration filed on 12/14/2005
- Copy of references cited in ISR filed on 12/14/2005
- U.S. Basic National Fees filed on 03/24/2005
- Assignment filed on 12/14/2005
- Priority Documents filed on 03/24/2005
- Power of Attorney filed on 12/14/2005
- Specification filed on 03/24/2005
- Claims filed on 03/24/2005
- Abstracts filed on 03/24/2005
- Drawings filed on 03/24/2005

Docketed 1/24/06 Attorney _____
Case 56646-5024
Due Date Feb. 19, 2006
Action Missing Requirements
By PA Chk GD

RECEIVED

JAN 23 2006

MORGAN, LEWIS & BOCKIUS LLP

Applicant's response filed 12/14/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 10/14/2005 have not been completed.

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice

Published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,059	PCT/GB03/04169	056646-5024